

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

LISA L. MADRID,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

Case No. 1:21-cv-00352-SAB

ORDER GRANTING STIPULATION FOR  
AWARD OF ATTORNEYS' FEES AND  
EXPENSES PURSUANT TO THE EQUAL  
ACCESS TO JUSTICE ACT (28 U.S.C. §  
2412(d))

ORDER DENYING MOTION FOR  
ATTORNEYS' FEES PURSUANT TO THE  
EQUAL ACCESS TO JUSTICE ACT AS MOOT

(ECF Nos. 22, 24)

Plaintiff Lisa L. Madrid filed the complaint in this action on March 8, 2021. (ECF No. 1.) On April 6, 2023, the Court issued findings and recommendations to grant Plaintiff's appeal, deny the Commissioner's request to affirm the decision, and remand the matter for further proceedings. (ECF No. 19.) On May 3, 2023, the District Judge adopted the findings and recommendations in full, granted Plaintiff's appeal and entered judgment in favor of Plaintiff.<sup>1</sup> (ECF Nos. 20, 21.)

On August 2, 2023, Plaintiff's counsel filed a motion for attorneys' fees pursuant to the

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<sup>1</sup> On April 6, 2023, the case was assigned to District Judge Jennifer L. Thurston and Magistrate Judge Stanley A. Boone, Case No. 1:21-cv-00352-JLT-SAB. (ECF No. 18.) Thereafter, all parties consented to the jurisdiction of the United States Magistrate Judge and this action was reassigned to Magistrate Judge Stanley A. Boone for all purposes. (ECF No. 6, 25, 26.)

1 Equal Access to Justice Act, 28 U.S.C. § 2412(d), seeking fees in the amount of \$5,480.57 and  
2 costs in the amount of \$400.00. (ECF No. 22.) In addition, on August 7, the parties filed a  
3 stipulated motion for the award of attorney fees and expenses in the amount of \$5,480.57  
4 pursuant to the EAJA, and costs in the amount of \$400.00 under 28 U.S.C. § 1920. (ECF No.  
5 24.) The award is without prejudice to the rights of counsel to seek attorney fees under 42 U.S.C.  
6 § 406, subject to the offset provisions of the EAJA. (Id. at 2.) The parties additionally proffer  
7 that the stipulation constitutes a complete release from, and bar to, any and all claims that  
8 Plaintiff and Plaintiff's attorney may have relating to EAJA attorney fees in connection with this  
9 action. (Id.)

10 Accordingly, pursuant to the stipulation of the parties and good cause appearing, IT IS  
11 HEREBY ORDERED that:

- 12 1. The parties' stipulation for the award and payment of attorney fees and expenses  
13 pursuant to the Equal Access to Justice Act (ECF No. 24) is GRANTED;
- 14 2. Plaintiff is awarded attorneys' fees in the amount of \$5,480.57 pursuant to the  
15 EAJA, 28 U.S.C. § 2412(d), and costs in the amount of \$400.00 under 28 U.S.C. §  
16 1920; and
- 17 3. Plaintiff's motion for attorney's fees pursuant to the Equal Access to Justice Act is  
18 DENIED as moot.

19  
20 IT IS SO ORDERED.

21 Dated: August 10, 2023

  
UNITED STATES MAGISTRATE JUDGE